

# Notice of Allowability

Application No.

09/445,653

Examiner

Edward J. Webman

Applicant(s)

KABANOV ET AL.

Art Unit

1616

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the paper filed 11/16/04.
2. ☒ The allowed claim(s) is/are 5-27.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

EDWARD J. WEBMAN  
PRIMARY EXAMINER  
GROUP 1500

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☒ Other drawings acceptable.



PCT

WORLD INTELLECTUAL PROPERTY ORGANIZATION  
International Bureau

## INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification <sup>6</sup> : <b>A61K 9/10, 47/32, 47/34, 47/36</b>	<b>A1</b>	(11) International Publication Number: <b>WO 98/56348</b> (43) International Publication Date: 17 December 1998 (17.12.98)
<p>(21) International Application Number: PCT/US98/12138</p> <p>(22) International Filing Date: 11 June 1998 (11.06.98)</p> <p>(30) Priority Data: 60/049,552 13 June 1997 (13.06.97) US</p> <p>(71) Applicant (for all designated States except US): UNIVERSITY OF NEBRASKA BOARD OF REGENTS [US/US]; Regents Hall, 3835 Holdrege Street, Lincoln, NE 68598 (US).</p> <p>(72) Inventors; and (75) Inventors/Applicants (for US only): KABANOV, Alexander, V. [RU/US]; 1304 South 126th Street, Omaha, NE 68144 (US). EISENBERG, Adi [US/US]; 6100 Deacon Road, No. 15J, Montreal, Quebec H3S 2V6 (CA). KABANOV, Victor A. [RU/RU]; Apartment 18, Lomonosovsky Prospect 14, Moscow, 117296 (RU).</p> <p>(74) Agents: HAGAN, Patrick, J. et al.; Dann, Dorfman, Herrell and Skillman, Suite 720, 1601 Market Street, Philadelphia, PA 19103-2307 (US).</p>	<p>(81) Designated States: AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GE, GH, GM, GW, HU, ID, IL, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, ML, MR, NE, SN, TD, TG).</p> <p>Published With international search report. Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.</p>	
<p>(54) Title: COMPOSITIONS FOR DELIVERY OF BIOLOGICAL AGENTS AND METHODS FOR THE PREPARATION THEREOF</p> <p>(57) Abstract</p> <p>A composition for facilitating administration of biological agents, comprising a therapeutic or diagnostic agent and a supramolecular complex, the latter comprising (i) a block copolymer, having at least one nonionic, water soluble segment and at least one polyionic segment, and (ii) at least one charged surfactant having hydrophobic groups. The charge of the surfactant is opposite to the charge of the polyionic segment of the block copolymer. The constituents of the supramolecular complex are bound by interaction between the opposite charges thereof and between surfactant hydrophobic groups. The therapeutic or diagnostic agent may be an ionic substance, in which case the ionic substance has a net charge opposite to that of the block copolymer, the net charge being no more than 10.</p>		